

THE HON'BLE SRI JUSTICE M.SEETHARAMA MURTI

IA.No.2 of 2018 in/and CCCA.No.157 of 2008

And

IA.Nos.1 of 2018 in/and CCCA.Nos.158 & 160 of 2008

COMMON JUDGMENT:

The genesis for the three appeals is the common judgment, dated 31.03.2008, of the learned X Additional Chief Judge [Judge, Fast Track Court], City Civil Court, Hyderabad, passed in OS.Nos.301 of 2004, 342 of 2002 and 137 of 2000.

Respondents 1 & 2 in all these three appeals are the plaintiffs in OS.No.301 of 2004 and 342 of 2002. The appellant in these appeals is the 1st defendant in the said suits and the plaintiff in OS.No.137 of 2000.

When these appeals are taken up for hearing, the appellant and the respondents 1 & 2 are present. They are identified by their respective learned counsel. They produced their original Aadhar cards in proof of their identity. The copies of the same are placed on record.

The appellant and the respondents 1 & 2 stated that the matter has been settled amicably and that the terms of compromise are reduced into writing in the form of a memorandum of compromise and that the memorandum of compromise signed by both the parties and their respective learned counsel is filed along with the subject interlocutory applications requesting to record the compromise and dispose of the appeals in terms of the compromise.

When the terms of the compromise are readover and explained to the parties present, they admitted the same and stated unanimously that in view of the settlement arrived at between the

parties, a registered deed of partition bearing document no.3369 of 2018 is duly executed and registered and that each party agreed to release and relinquish all his rights in favour of the other party in respect of the portions allotted to the other party and that the parties also agreed that each party shall enjoy the respective share allotted to that party under the registered partition deed, without interference or disturbance from the other parties or any other persons claiming through the other parties and under them. It is represented that the original partition deed is filed along with a petition for being received on file.

On examination, this Court is satisfied that the parties present arrived at the compromise with free will & consent and without any force or coercion from any quarter and, therefore, the compromise can be recorded and the appeals can be disposed of in terms of memorandum of compromise.

Accordingly, IA.No.2 of 2018 in CCCA.No.157 of 2008 and IA.Nos.1 of 2018 in CCCA.Nos.158 & 160 of 2008 are allowed. Consequently, all the three appeals are disposed of in terms of the compromise. The memorandum of compromise shall form part of the decree.

There shall be no order as to costs.

Miscellaneous petitions, if any, pending in the Appeals shall stand closed.

M.SEETHARAMA MURTI, J

19.12.2018

Note: Registry shall return the original partition deed to the learned counsel for the appellant under proper acknowledgement, however, by retaining a copy of the same on record.

[B/o]
Vjl